

CABINET FOR FAMILIES AND CHILDREN

DEPARTMENT FOR COMMUNITY BASED SERVICES

"An Equal Opportunity Employer M/F/D"



DIVISION OF CHILD SUPPORT



DCS Manual Transmittal
Letter No. 538
May 16, 2000

TO: Staff
Division of Child Support
Division of Service Regions
Child Support Section

SUBJECT: Revised Withholding of Earnings Decision (Form CS-43),
Notice of Allocation of Support (Form CS-74) and Procedural
Instructions

Obsolete Notice to Collection Agency (Form CS-88), Waiver of
Advance Notice (Form CS-91) and Procedural Instructions

The name of the CS-43 has been changed from *Withholding of Earnings Decision* to *Income Withholding Notice*. The CS-43 and procedural instructions have been revised to remove reference to advance notice of income withholding. Kentucky Revised Statute (KRS) 405.467(4) was amended by 1998 Kentucky Acts Chapters 255 and 426, effective July 15, 1998, to remove the requirement that a noncustodial parent or obligor be provided with advance notice of income withholding. Instead, it requires the Cabinet for Families and Children (CFC) to inform the noncustodial parent or obligor that income withholding has begun by sending a copy of the Order/Notice to Withhold Income for Child Support (Form CS-89) to the parent at the same time that the order is sent to the employer.

Also, KRS 405.467(4) was amended to remove the requirement that within 45 days of a noncustodial parent's or obligor's receipt of advance notice of income withholding, CFC must determine whether withholding is to occur and notify the parent of its decision. The CS-43 and procedural instructions have been revised to remove the 45 day time frame.

The CS-74 has been revised to add the state statute that pertains to allocation of support for income withholding cases. KRS 405.467(7) states that if there is more than one notice of withholding against a single noncustodial parent or obligor, CFC must allocate amounts available for withholding giving priority to current support up to

children First On

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Instructions for Manual Maintenance

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Withholding of Earnings Decision
(Form CS-43) (Rev. 11/95) and
Procedural Instructions (11/1/95)

Notice of Allocation of Support
(Form CS-74) (7/94) and
Procedural Instructions (7/1/94)

Notice to Collection Agency
(Form CS-88) (Rev. 10/98) and
Procedural Instructions (2/16/99)

Waiver of Advance Notice
(Form CS-91) (12/86) and
Procedural Instructions (12/1/86)

Insert

Table of Contents, Pages 1 and
2 (5/16/00)

Income Withholding Notice
(Form CS-43) (Rev. 5/00) and
Procedural Instructions (5/16/00)

Notice of Allocation of Support
(Form CS-74) (Rev. 5/00) and
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